

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

FERMIN CORTEZ, et al.,)	8:08CV90
)	
Plaintiffs,)	
)	
and)	
)	
DAVID CHUOL, et al.,)	8:08CV99
)	
Plaintiffs,)	
)	
vs.)	INDEX OF EVIDENCE IN SUPPORT
NEBRASKA BEEF, LTD. and)	OF PLAINTIFFS' MOTION TO
NEBRASKA BEEF, INC.,)	STRIKE PORTIONS OF THE
)	EXPERT REPORTS OF JEFFREY E.
Defendants.)	FERNANDEZ, PhD

Plaintiffs and the Class, through their undersigned attorneys, pursuant to NECivR 7.01(a)(2), identify the following evidentiary materials offered in support of their Motion to Strike Portions of the Expert Reports of Jeffrey E. Fernandez, PhD.

1. November 13, 2009 Expert Report Of Jeffrey E. Fernandez, PhD (**Exhibit A**).
2. January 17, 2011 Addendum to Report of Fernandez (**Exhibit B**).
3. February 14, 2011 Supplemental Report of Fernandez (**Exhibit C**).
4. Pertinent Excerpts of December 10, 2009 Deposition of Jeffrey E. Fernandez, Ph.D., Fernandez Dep. (**Exhibit D**);
5. Pertinent Excerpts of March 8, 2011 Deposition of Jeffrey E. Fernandez, Ph.D., Fernandez Dep. II (**Exhibit E**).
6. Pertinent Excerpts of December 19, 2008 Deposition of Mario Villarreal (**Exhibit F**).
7. Pertinent Excerpts of March 12, 2009 Deposition of Tony Joy (**Exhibit G**).

8. January 15, 2010 Response of Dr. Kenneth S. Mericle to Report Submitted by Jeffery Fernandez (**Exhibit H**).

Dated: March 29, 2011

Respectfully submitted,

s/ Shanon J. Carson

Shanon J. Carson
BERGER & MONTAGUE, P.C.
1622 Locust Street
Philadelphia, Pennsylvania 19103
Tel: (215) 875-4656
Fax: (215) 875-4604
scarson@bm.net

Todd M. Schneider
Carolyn H. Cottrell
SCHNEIDER WALLACE
COTTRELL BRAYTON KONECKY LLP
180 Montgomery Street, Suite 2000
San Francisco, California 94104
Tel: (415) 421-7100
Fax: (415) 421-7105
tschneider@schniederwallace.com
ccottrell@schniederwallace.com

Philip A. Downey, Esq.
The Downey Law Firm, LLC
P.O. Box 1021
Unionville, PA 19375
P: 610-324-2848
F: 610-813-4579.
downeyjustice@gmail.com

Christopher P. Welsh (State Bar No. 22279)
WELSH & WELSH, P.C., L.L.O.
9290 W Dodge Rd, Suite 100, The Mark
Omaha, NE 68114
Phone: 402-215-0619
Fax: (402) 384-8211
cwelsh@welsh-law.com

Attorneys for Plaintiffs and the Class